

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DINNER TABLE ACTION, FOR OUR
FUTURE, and ALEX TITCOMB,

Plaintiffs,

v.

WILLIAM J. SCHNEIDER, in his official capacity as Chairman of the Maine Commission on Governmental Ethics and Election Practices; DAVID R. HASTINGS III, in his official capacity as a Member of the Maine Commission on Governmental Ethics and Election Practices; SARAH E. LECLAIRE, in her official capacity as a Member of the Maine Commission on Governmental Ethics and Election Practices; DENNIS MARBLE, in his official capacity as a Member of the Maine Commission on Governmental Ethics and Election Practices; BETH N. AHEARN, in her official capacity as a Member of the Maine Commission on Governmental Ethics and Election Practices; and AARON M. FREY, in his official capacity as Attorney General of Maine,

Defendants.

Case No. 24-cv-00430-KFW

Magistrate Judge Karen Frink Wolf

DECLARATION OF ALEX TITCOMB

I, Alexander Titcomb, hereby declare the following based on my personal knowledge:

1. I am an adult and am competent to make this declaration.
2. I reside in Bowdoin, Sagadahoc County, Maine.
3. I am a plaintiff in this case.
4. I have been involved in Maine politics since 2012.

5. After spending years volunteering with national political organizations, I realized that my time was better spent advocating on local Maine races and issues affecting all Mainers.

6. I was thus motivated to found Dinner Table Action in 2021 to provide a voice for Mainers who believed in advancing limited government, free enterprise, personal responsibility, and individual liberty, by which they can support the election of like-minded candidates. I serve as the PAC's principal officer.

7. Dinner Table Action also seeks to grow the community and engage the people of Maine through training and various programming, such as hosting Dinner Table Events (DTEs), candidate and grassroots activist trainings, and volunteer nights.

8. Plaintiff Dinner Table Action is a political action committee formed under the laws of the State of Maine and is subject to the challenged fundraising limits.

9. Dinner Table Action seeks to provide a voice for Mainers who believed in advancing limited government, free enterprise, personal responsibility, and individual liberty, by which they can support the election of like-minded candidates.

10. Dinner Table Action makes independent expenditures under 21-A MRSA § 1019-B.

11. For Our Future is a political action committee formed under Maine law and is subject to the challenged fundraising limits.

12. For Our Future seeks to advance conservative causes and candidates.

13. For Our Future makes independent expenditures under 21-A M.R.S. § 1019-B, and contributes to other PACs for the purpose of those PACs making independent expenditures.

14. I am the co-founder, principal officer, a primary fundraiser, and Executive Director of Dinner Table Action.

15. I am also the founder, principal officer, and the primary fundraiser for For Our Future.

16. Dinner Table Action raised over \$489,880 during the 2022 election cycle—a historic amount for a political action committee in Maine.

17. During the 2024 cycle, Dinner Table Action raised over \$454,000.

18. Over one-third of the value of donations Dinner Table Actions received in 2024 were from individuals or entities that donated in excess of \$5,000 that year.

19. In 2022, the top five individual donors to Dinner Table Action each contributed more than \$10,000.00.

20. The Make Liberty Win PAC and the Maine Republican Party contributed \$45,000 and \$25,000, respectively, to Dinner Table Action.

21. In 2023, Dinner Table Action was subject to a short-lived law that restricted the amount of funds it could raise. The law was quickly repealed after Dinner Table Action sued.

22. Nevertheless, Dinner Table Action still received three individual contributions in excess of \$5,000 that year.

23. In 2024, the top six donors to Dinner Table Action each contributed more than \$5,000.

24. In 2024, Dinner Table Action raised \$291,215.42 in donations for independent expenditures, \$168,655 of which came from the top six donors.

25. More than half of Dinner Table Action's receipts for independent expenditures in 2024 came from the six largest donors.

26. In 2024, Dinner Table Action made over \$375,000 in independent expenditures in Maine elections to send mailers, postcards, and hand-written letters; purchase digital advertisements; pay for phone calls and text messages, and to organize door knocking and events, in support of or opposition to candidates for office across the state.

27. Dinner Table Action regularly receives contributions of less than \$50 from individual contributors.

28. Multiple contributors have indicated to me that they would not contribute to Dinner Table Action if their identities would be publicly disclosed.

29. If their identities must be disclosed, I understand that at least some of these small-dollar contributors will stop contributing to Dinner Table Action.

30. So long as the Act is not enforced, several donors will contribute over \$5,000 per year to Dinner Table Action for the purposes of having Dinner Table Action make independent expenditures in the future.

31. Dinner Table Action will spend that money to make similar expenditures as it has in the past, and to also potentially purchase newspaper and print advertisements.

32. One such donor is Plaintiff For Our Future.

33. For Our Future donated over \$230,000 to other PACs in 2024, including \$100,000 to Dinner Table Action, for the recipients to use for independent expenditures.

34. For Our Future will contribute in excess of \$5,000 to Dinner Table Action per year for the purpose of independent expenditures in each of the next several years.

35. The Act would severely impair Dinner Table Action's ability to successfully and fully communicate its election related views, and severely impair Dinner Table Action's ability to associate with its donors, including Plaintiff For Our Future and its donors, as it limits the amount of money that Dinner Table Action has available to speak by limiting and dissuading contributions.

36. The Act limits Dinner Table Action donors' abilities to associate with each other by limiting the amount of speech they can share via independent expenditures.

37. For Our Future also contributes in excess of \$5,000 per year to other Maine PACs for the purpose of the recipient making independent expenditures.

38. For instance, in 2024, For Our Future contributed more than \$5,000 to Women's Leadership Fund, Fight for Freedom and Free Maine Campaign.

39. For Our Future intends to make contributions in excess of \$5,000 annually to these or other Maine PACs for the purpose of independent expenditures perpetually into the future.

40. The Act will severely impair For Our Future's ability to associate with the PACs to which it contributes, including Plaintiff Dinner Table Action, and with other donors, as it limits the amount of money that For Our Future can contribute to other PACs for use in making independent expenditures.

41. For Our Future receives donations in excess of \$5,000 for the purpose of making independent expenditures.

42. For example, a single contributor contributed well in excess of \$5,000 to For Our Future for the purpose of making independent expenditures in each year that For Our Future has existed and is expected to do so again in future years.

43. In 2024, For Our Future made independent expenditures supporting or opposing several candidates for office in Maine.

44. It intends to do so perpetually into the future.

45. Because For Our Future has been exclusively funded by donations in excess of \$5,000, the Act will cripple For Our Future's ability to receive anywhere near the level of contributions it currently receives, which in turn would all but eliminate its ability to make independent expenditures or contributions for independent expenditures, thereby stifling its ability to

successfully and fully communicate its election related views, and to associate with others for the purpose of making their election related views known.

46. Dinner Table Action still has on hand over \$30,000 available for independent expenditures; \$27,224.80 of which is part of a \$50,000 contribution from For Our Future made on October 7, 2024.

47. Dinner Table Action raised funds and made independent expenditures in support of local candidates in “off year” elections in the past, and intends to do so again in 2025.

48. Dinner Table Action intends to keep soliciting and accepting contributions exceeding \$5,000 for the purpose of making independent expenditures, and it intends to spend its cash-on-hand already raised in amounts exceeding \$5,000, going forward.

49. Dinner Table Action would make these independent expenditures to express itself about local races in 2025, and in further campaigns indefinitely going forward as it has done for years.

50. However, Dinner Table Action will refrain from doing all these things while the law is in effect so as to be in compliance with all laws, and avoid potential civil and criminal liability for itself and those with whom it associates.

51. For Our Future has approximately \$20,000 on hand, all of which was received from a single contributor.

52. For Our Future intends to use most of these funds to either make independent expenditures or to contribute to other PACs for the purpose of those PACs making independent expenditures in Maine.

53. However, so long as the Act remains in effect, For Our Future will refrain from doing all these things so that it, and those with whom it would associate remain in compliance with all laws and avoid potential civil and criminal liability.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 16, 2025.

/s/ Alexander L Titcomb
ALEXANDER TITCOMB

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below I caused a copy of the foregoing pleading to be filed with the Court's ECF filing system, which will cause an electronic notice to be sent to counsel of record.

Dated: January 17, 2025

/s/ Joshua D. Dunlap
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